

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, OCTOBER 13, 2021 AT 5:30 P.M. IN THE CITY COUNCIL
CHAMBERS.**

MAYOR: Louie A. Trujillo

COUNCILORS: David G. Romero
Elaine Rodriguez
Michael L. Montoya
David A. Ulibarri, Jr.

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:30 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo asked Seminarian Jacob Romero from Our Lady of Sorrows Church to say a prayer. Seminarian Romero thanked our Heavenly Father for the wonderful day, for the many blessings he continues to distill upon us, especially by

bringing us together, and to continue to unite ourselves with the Lord and each other by supporting and loving one another as he continues to love us.

APPROVAL OF AGENDA

Councilor Romero made a motion to approve the agenda as presented. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes
David G. Romero	Yes	Elaine Rodriquez	Yes

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Fresquez advised there was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

- Appointment of 4 members to the Redistricting Committee (one from each ward).

City Clerk Fresquez read the following names: Ward 1- Pete Garduno, Ward 2- Dale Turner, Ward 3-Jacob Gutierrez and Ward 4- Amanda Salas.

Councilor Montoya made a motion to approve the appointment of the 4 members to the redistricting committee (one from each ward). Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya requested that the Redistricting Committee work closely with City Clerk Fresquez.

Mayor Trujillo advised they would leave it to City Clerk Fresquez to call the meetings.

Mayor Trujillo read a Proclamation for Crop Walk 2021.

Mayor Trujillo recognized Comedor de San Pascual and Las Vegas Community Soup Kitchen with Buen Vecino Awards.

Mayor Trujillo read a Proclamation for Catholic Daughters of the Americas Day.

Mayor Trujillo read a Proclamation recognizing Teresita R. Chavez on her 100th birthday.

COUNCILORS' REPORTS

Councilor Montoya advised City Manager Maestas, Councilor Romero and himself attended the Outdoor Recreation Conference in Farmington, NM. Councilor Montoya advised they met with MainStreet Director Daniel Gutierrez regarding the project on Railroad and Lincoln and advised they allocated \$200,000.00 to complete that project.

Councilor Rodriquez thanked Councilor Romero, Councilor Montoya and City Manager Maestas for taking the meeting with MainStreet Director Gutierrez and advised they not only work for their wards but for the betterment of the City of Las Vegas.

Councilor Romero thanked City employees for all they do to help the betterment of the City, although some things may happen in the community where they have to shut down streets or water but there is progress being made.

Councilor Ulibarri Jr., thanked the Streets department for cleaning up Santa Ana Street by North Star.

Councilor Montoya advised while at the conference they saw a video representing the Gallinas River and thanked Elizabeth Juarros for representing Las Vegas. Councilor Montoya advised in the near future hopefully they can bring new ideas to make more outdoor activities available through grants and funding.

CITY MANAGER'S REPORT

City Manager Maestas welcomed new employees to the City of Las Vegas and also welcomed new businesses in town. City Manager gave a report on the following:

- Capital Outlay funds awarded for the Las Vegas Senior Center
- Legislative appropriations for the City of Las Vegas
- The Rodriguez Sports Complex groundbreaking ceremony invitation
- NM Self Insurers Fund trainings
 - Loss control site visits
 - CPR/First Aid
- Las Vegas Senior Center Vaccine Event
 - December 17, 2021 at 10am
- LV Parks and Recreation Center
 - Current/upcoming events

Councilor Rodriguez asked who they would speak to regarding getting in contact with a new business.

City Manager Maestas advised they could contact Maria Perea with Planning and Zoning or the Executive Office.

Councilor Rodriguez requested customer service training for employees.

Mayor Trujillo advised they dedicated the whole month of November to customer service training and advised every City employee will go through the customer service training. Mayor Trujillo advised the training would also be available to people in the community.

Councilor Montoya recommended the new business list with contact information be placed on the City's website for the community to see.

Discussion took place regarding different programs to help every youth participate in sports if unable to pay the registration fee.

Mayor Trujillo advised he would like to be a sponsor and does not want any child turned away from participating in recreation.

Discussion took place regarding what the registration fee covers and if sponsorships from businesses are needed for uniforms and advertisement.

Councilor Romero advised the registration fees generated also go towards staffing needed for certified officials. Councilor Romero advised none of the information was on any of the facebook pages and stated that it's important to get information like that out to the community.

Discussion took place regarding Hanna Park lighting, tables and benches for the Gallinas River Park and lighting at the Recreation Center.

Mayor Trujillo thanked City Manager Maestas for all his hard work.

PRESENTATIONS

CEO Caleb O'Rear with Alta Vista Regional Hospital gave an update regarding the hospital and their operations. Mr. O'Rear discussed the various clinics they have and staffing challenges during COVID-19.

Mayor Trujillo thanked Mr. O'Rear for helping the community get through the pandemic and for his staff giving vaccines to thousands of people.

Discussion took place regarding the Legion Drive road project, AMR ambulance service and how many doctors are employed at the hospital.

Mayor Trujillo suggested placing information regarding the hospital on the City's website.

APPROVAL OF MINUTES

Councilor Romero made a motion to approve the minutes for September 15th and September 22, 2021. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo thanked City Clerk Fresquez and her staff for their good job on the minutes.

CONSENT ITEMS

City Clerk fresquez read the Consent Agenda (1-3) into the record as follows:

1. Request approval of Resolution No. 21-44, A budget adjustment for the 2021-2022 Fiscal Year.

Resolution 21-44 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-44**

A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE 2021-2022 FISCAL YEAR

WHEREAS, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2021-22; and

WHEREAS, said budget was developed on basis of increases in revenues, expenditures and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors. Please see attached schedule: and,

WHEREAS, the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal Year budget to include an Revenue decrease to Fund 435 in the amount of \$7,330; Revenue increase to Fund 217 in the amount \$4,958,611; Fund 433 in the amount of \$20,000; Fund 218 in the amount of \$21,510. Expense increase to Fund 101- 5110, General Fund Parks Department in the amount of \$13,362; Fund 218 in the amount of \$21,510; Fund 104 in the amount of \$10,000; Fund 433 in the amount \$20,000; Fund 217 in the amount of \$4,958,611; Expense decrease to Fund 435 in the amount of \$8,139 and,

WHEREAS, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2021-22, and,

NOW, THEREFORE BE IT RESOLVED the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned budget adjustment request and respectfully request approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this day of October 2021.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

2. Request approval of agreement between Luna Community College and the City of Las Vegas Senior Citizens program.

3. Request approval of Riverwalk Park Committee, a sub-committee of the Parks and Recreation Advisory Committee.

Councilor Romero made a motion to approve the Consent Agenda (1-3) as read into the record. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael L. Montoya	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

Conduct a Public Hearing for Business Item 1.

Councilor Romero made a motion to enter into Public Hearing to discuss business item 1. Councilor Rodriquez seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

City Attorney Aaron swore in Deputy Fire Chief Spann.

1. Adoption of Ordinance No. 21-17 amendment to the current Fire Code to include the new standards pertaining specifically to fire and life safety for cannabis and hemp industries.

Deputy Fire Chief Spann spoke about business item 1 regarding the adoption of ordinance 21-17 pertaining specifically to fire and life safety for cannabis and hemp industries. The fees were discussed and changed to \$150.

Councilor Romero thanked Deputy Fire Chief Spann for his work on the ordinance.

Councilor Romero made a motion to exit Public Hearing and return to regular session. Councilor Ulibarri Jr., seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez Yes
Michael L. Montoya Yes

David A. Ulibarri Jr. Yes
David G. Romero Yes

City Clerk Fresquez advised the motion carried.

1. Adoption of Ordinance No. 21-17 amendment to the current Fire Code to include the new standards pertaining specifically to fire and life safety for cannabis and hemp industries.

Councilor Romero made a motion to approve the adoption of Ordinance 21-17. Councilor Ulibarri Jr., seconded the motion.

Ordinance 21-17 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
Elaine Rodriquez	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

2. Request approval to adopt Resolution No. 21-46 to Up-Date Mitigation Plan.

Councilor Romero made a motion to approve Resolution No. 21-46 to Up-Date Mitigation Plan. Councilor Rodriquez seconded the motion.

Resolution 21-46 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo recognized and welcomed Mr. Dennis Esquibel as the OEM Coordinator for the City and County.

City Manager Maestas gave a brief discussion regarding the Mitigation Plan.

3. Request to Publish Ordinance No. 21-18 amending the Code by adding a new Article XII entitled "Cannabis Zoning" and Section 45—141, 45-142, and 450-143 to the existing Chapter 450, Zoning.

City Attorney Aaron advised he had to make several changes to other ordinances that cannabis was going to affect. City Attorney Aaron asked Council to consider adding under 301-5(G) Nuisance declared under dangerous buildings, properties that have people residing in them within City limits have to have at the minimum water, wastewater and electricity services, otherwise could be cited for the nuisance section for dangerous buildings. City Attorney Aaron asked Council to consider expanding the ability for the City to put a lien on someone's property not just for the monies spent to abate it but also put a lien against the property if the judge fines them \$500.

A lengthy discussion took place regarding the changes made in ordinance 21-18 replacing other ordinances listed in general code, people using abandoned buildings as grow rooms, who would be inspecting businesses or cross referencing businesses that are daycares to make sure their not growing cannabis, how the security inspection works and who would be doing the security inspection.

Councilor Rodriquez asked City Attorney Aaron if he sees it as a liability to the City of Las Vegas if they issue a certification of security to a business and something happens.

City Attorney Aaron advised he does not see that as a liability because all they are doing is making recommendations for security prior to their business opening and they are not telling them that they will never get broken into.

Police Chief Salazar advised whether its State or City police doing the security inspection and businesses meet the requirements for cameras, lighting and locks on the gates or doors, it's up to the business to upkeep their security system after its been approved.

Discussion took place regarding Extraterritorial Zoning issues within the County and the City of Las Vegas.

Councilor Romero suggested City Attorney Aaron make the changes and bring it back for publication at the October 20, 2021 Council meeting.

Councilor Montoya asked Police Chief Salazar and City Manager Maestas if they had any objections to the ordinance.

Police Chief Salazar and City Manager both advised no.

Discussion took place regarding pg. 14 on Nuisance Declared section 301-5(E) and also if ordinance 21-18 would be replacing other ordinances listed within that ordinance such as abatement and nuisance since the title of it is "Cannabis Zoning".

Councilor Romero made a motion to postpone Ordinance 21-18 until the October 20, 2021 Council meeting. Councilor Rodriguez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri	Yes	Elaine Rodriguez	Yes
David G. Romero	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

4. Request approval of Addendum #1 to Contract #3687-20 for Control Cyber to continue to provide services for the Environmental Protection Agency (EPA) required Risk and Resiliency assessment and Emergency Response Plan for the City of Las Vegas Water System.

Councilor Montoya asked if the Risk and Resiliency assessment portion was completed on June 20, 2021.

Utilities Director Gilvarry advised the Risk and Resiliency assessment has already been completed in the first half of the requirements and the Emergency Response Plan is part of the second half of the requirements.

Councilor Montoya asked if the addendum to the contract was to complete the second half and when the deadline is for the project.

Utilities Director Gilvarry advised yes so they could complete both parts of the project and must submit the Emergency Response Plan to the Federal Government by December 23, 2021.

Councilor Romero made a motion to approve Addendum #1 to Contract #3687-20 for Control Cyber. Councilor Rodriguez seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Elaine Rodriguez	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

5. Request to award request for bid #2022-05 for Miox Salt (Table Salt Grade) to Salt Works.

Councilor Romero made a motion to award request for bid #2022-05 for Miox Salt (Table Salt Grade) to Salt Works. Councilor Ulibarri Jr., seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Michael L. Montoya	Yes
Elaine Rodriguez	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

6. Request to award request for bid #2022-07 for Liquid Aluminum Sulfate (Liquid Alum) to Chemtrade Chemicals US LLC.

Councilor Romero made a motion to award request for bid #2022-07 for Liquid Aluminum Sulfate (Liquid Alum) to Chemtrade Chemicals US LLC. Councilor Rodriquez seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Elaine Rodriquez	Yes
David G. Romero	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

7. Request to award request for proposals #2022-08 for engineering services for the City of Las Vegas Municipal Airport to Molzen Corbin.

Councilor Montoya asked why the item did not go before the Airport Committee. Utilities Director Gilvarry advised she could not answer as to why it didn't go before the Airport Committee other than the Committee just had a meeting and the item was submitted prior to that.

Councilor Monotya recommended anything having to do with the Airport should go through the Airport Committee.

Councilor Montoya made a motion to award request for proposals #2022-08 for engineering services for the City of Las Vegas Municipal Airport to Molzen Corbin. Councilor Ulibarri Jr., seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

8. Request to award request for proposals #2022-09 for engineering services for the City of Las Vegas Dams and Reservoirs to AECOM.

Councilor Romero made a motion to award request for proposals #2022-09 for engineering services for the City of Las Vegas Dams and Reservoirs to AECOM. Councilor Rodriguez seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Elaine Rodriguez	Yes
Michael L. Montoya	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

9. Request to award request for proposals #2022-10 for engineering services for the City of Las Vegas Gas division to Molzen Corbin.

Discussion took place regarding the tanks located on Mullins Drive.

Councilor Romero made a motion to award request for proposals #2022-10 for engineering services for the City of Las Vegas Gas division to Molzen Corbin. Councilor Montoya seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Elaine Rodriguez	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

10. Request to award request for proposals #2022-11 for engineering services for the City of Las Vegas Public Works division to Miller Engineering, Molzen Corbin, Souder Miller and Stantec.

Councilor Romero asked the Utilities Director to explain why she recommended the four engineering firms.

Utilities Director Gilvarry advised they had eight proposers and are recommending four of them due to the number of road projects they have which would give them flexibility.

Councilor Montoya advised he likes the idea of using various vendors for projects rather than using the same vendor all the time and would like to see projects done instead of spending all the money on planning and design.

Councilor Romero made a motion to award request for proposals #2022-11 for engineering services for the City of Las Vegas Public Works division to Miller Engineering, Molzen Corbin, Souder Miller and Stantec. Councilor Ulibarri Jr., seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Elaine Rodriquez	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

11. Request to award request for proposals #2022-12 for engineering services for the City of Las Vegas Water Treatment Plant to Molzen Corbin, Bohannan Huston and HDR.

Councilor Romero made a motion to award request for proposals #2022-12 for engineering services for the City of Las Vegas Water Treatment Plant to Molzen Corbin, Bohannan Huston and HDR. Councilor Rodriquez seconded the motion. Mayor Tujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
Elaine Rodriquez	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

12. Request approval of Resolution No. 21-45, 2022 Election Resolution (English and Spanish).

City Clerk Fresquez advised an election resolution must be adopted by the Governing Body between 120-150 days prior to the election.

Councilor Romero made a motion to approve Resolution No. 21-45, 2022 Election Resolution (English and Spanish). Councilor Ulibarri Jr., seconded the motion.

Resolution 21-45 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

13. Discussion/Direction and Request approval to obtain an appraisal on the City's property (gas station) located on the corner of Moreno and South Pacific.

Mayor Trujillo advised the gas station has been abandoned for 54 years and is an eyesore.

Mayor Trujillo asked City Attorney Aaron for his opinion regarding the property.

City Attorney Aaron advised the property had a lien, the court foreclosed on the lien and was auctioned but no one bid on the property and was awarded to the City.

City Attorney Aaron discussed what state statute requires for properties valued under \$25,000 and those valued over \$25,000.

Discussion took place regarding the possibility of raising/paving the property to be used as a parking lot and concerns for the adjoining wall to the building right next to the gas station.

Councilor Romero thanked Mayor Trujillo for his involvement with the building that has been a nuisance to everyone in that ward and suggested not only giving direction for the appraisal but also a plan on what it would cost for a parking lot.

City Attorney Aaron advised they do not need an appraisal unless the City wants to sell it, they could get a plan developed to have an engineer look at it to see what needs to be done to get the building torn down without disturbing the neighbors property.

Discussion took place regarding the building south of the gas station.

Councilor Montoya advised they've been looking for parking near the Plaza Park and to keep in mind an area needed for public restrooms.

Councilor Romero made a motion to give direction for a cost estimate to demolish the building and at minimally create a parking lot with base course. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriguez	Yes	Michael L. Montoya	Yes
David A. Ulibarri Jr.	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo thanked the guests in the audience for being there.

EXECUTIVE SESSION

Councilor Montoya made a motion to convene into executive session for the purpose of discussing matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and only those matters were discussed and no action was taken. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

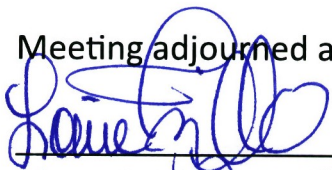
ADJOURN

Councilor Montoya made a motion to adjourn. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

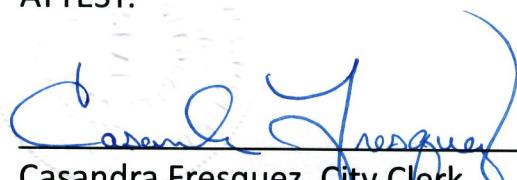
David G. Romero	Yes	Elaine Rodriquez	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:23 pm.


 Mayor Louie A. Trujillo

ATTEST:


 Casandra Fresquez, City Clerk